IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 13991-M of 2007
DATE OF DECISION : 06.03.2007

Swati Gupta and another

.... PETITIONERS

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Satish Chaudhary, Advocate, for the petitioners.

The petitioners, apprehending their arrest in a non-bailable offence in case FIR No. 68 dated 17.3.2006 under Sections 399, 402, 411 IPC and Section 25 (1-B) of the Arms Act, registered at Police Station Hathin, District Gurgaon, have filed this petition for anticipatory bail.

I have heard counsel for the petitioners and gone through the order dated 8.1.2007, passed by Additional Sessions Judge, Gurgaon, whereby bail bonds of the petitioners have been cancelled and they have been summoned through non-bailable warrants.

A perusal of the order dated 8.1.2007 shows that on that day, two material prosecution witnesses were present in the court and besides the petitioners, the other accused also remained absent. It appears that they did not appear deliberately. The exemption was sought by the petitioners on the ground of illness, but no medical evidence was annexed. In view of this fact, the trial court has rightly declined to grant exemption to the petitioners. In these circumstances, I am not inclined to grant the discretionary relief of anticipatory bail to the petitioners.

Dismissed.

March 06, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**